



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Moab District

San Rafael Resource Area
900 North 700 East
Price, Utah 84501



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DIVISION OF
OIL, GAS & MINING

JAN 28 1994

NOTICE OF DECISION

Mr. N. George Jackson
HC 70 Box 120
Caineville, Utah 84775-9606

Your plan of operations for maintenance work on the Dirty Devil #2, #3, #5, and 3 Fr mining claims is approved subject to the following conditions:

1. In road reconstruction, the road shall be sloped away from the hillside or cliff face such that the water will drain of the road instead of down it.
2. No oil or lubricants shall be disposed of on the ground surface. Material contaminated by petroleum products or toxic substances shall be removed and disposed of at an approved facility.
3. No surface-disturbing activity shall occur until a threatened and endangered plant inventory has been completed in the spring of 1994 by the Bureau of Land Management. In the event that threatened or endangered plant populations are found, the plants will be marked and no activity shall be allowed within 25 feet of the population unless written authorization has been obtained from the San Rafael Resource Area Office.
4. The operator shall adhere to all applicable local, state, and Federal rules and regulations.
5. No surface-disturbing activity shall take place until a reclamation bond has been secured and approved by the Utah State Office, Bureau of Land Management.
6. If subsurface cultural values are exposed during the course of operations, work shall cease at the site and the San Rafael Area Office shall be notified. All employees working in the area shall be informed by the operator that they will be subject to prosecution for disturbing identified archaeological sites or picking up artifacts.
7. Upon abandonment, the portals shall be sealed and the access roads and dumps restored to approximately the original contour such that a roughened surface is left. If the seed is

broadcast, a harrow or a similar implement shall be dragged over the seedbed to ensure coverage. The following seed mixture shall be used at a rate of 6 pounds per acre. The seed shall be broadcast or drilled between October 1 and November 30. Fertilizer (16-16-8) shall be applied at a rate of 50 pounds per acre.

<u>Grasses/Species</u>		<u>Pounds per Acre</u>
Indian ricegrass	<u>Oryzopsis hymenoides</u>	1
Galleta grass	<u>Hilaria jamesii</u>	1
Salina wildrye	<u>Elymus salina</u>	1
<u>Shrubs & Forbs/Species</u>		
Shadscale	<u>Atriplex confertifolia</u>	1
Scarlet globemallow	<u>Sphaeralcea coccinea</u>	1
Yellow sweet clover	<u>Melilotus officinalis</u>	1
Total		6

8. If it is determined that the mines are being used as habitat by bats, the affected portals may be left open or partially open. This determination shall be made by the San Rafael Resource Area Office. Written authorization shall be obtained prior to abandonment of a portal without sealing it.

9. Trash shall be collected and contained and shall not be allowed to accumulate. All trash shall be hauled to a local county or city landfill.

Approval of this plan will not now or in the future serve as a determination of the ownership or the validity of any mining claim to which it may relate.

A reclamation bond in the amount of \$2000.00 shall be required prior to any future operations. Bonding requirements can be met by an individual cash bond, cash, or negotiable securities of the United States deposited and maintained in a Federal depository account of the United States Treasury, or corporate surety bond.

Costs for determining the amount of the reclamation costs for the bond are as follows:

Mobilization	\$ 300.00
Recontouring @ \$1.00/c.y.	2,300.00
Seedbed Preparation @ \$100.00/acre	100.00
Seeding @ \$200.00/acre	200.00
Demobilization	300.00
Subtotal	\$3,200.00
Administrative costs @ 25 percent	800.00
Total	\$4,000.00

Since the reclamation bond is capped at \$2000.00 per acre and the calculated reclamation costs exceed the allowable bond amount for the .97 acre of disturbance, the \$2000.00 figure shall be used for the reclamation bond amount.

The bond amount may be appealed.

You have the right of appeal to the Utah State Director, Bureau of Land Management, in accordance with 43 Code of Federal Regulations 3809.4 (1992 edition). If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of the decision must be filed in writing at this office within 30 days after the date of this decision. This decision will remain in effect during the appeal, unless a written request for a stay is granted.

PENELOPE J. DUNN

Area Manager

cc: Bryant Anderson
Emery County Planning and Zoning
P.O. Box 297
Castle Dale, Utah 84513
Kiran Bhayani
Utah Department of Environmental Health
Division of Water Quality
P.O. Box 16690
Salt Lake City, Utah 84116-0690
Holland Shepherd
Division of Oil, Gas and Mining
355 West North Temple Street
3 Triad Center
Salt Lake City, Utah 84180-1203